

They found a pretext

עילה מצאן –

OVERVIEW

The *טומאה* states that in doubtful situations there is no presumption of *טומאה* in א"י. The *גמרא* supports this assertion by citing ר"ל who said (concerning עילה here¹ interprets the word עילה to mean an excuse; a pretext. A minimal excuse was sufficient cause to neutralize the *טומאה* ספק and declare the area to be a *מקום טהור*. Our *תוספות* offers an alternate explanation.

פירש רבינו חננאל צלע ותלו הטומאה באותה צלע והשאר טהרו:

The ר"ה explained that the word עֵלֶּה here means: **ribs** (of a skeleton).² They found ribs of a skeleton **and they attributed the טומאה to that skeleton only; and the rest of the area was proclaimed to be טהור**.³

SUMMARY

"ר"ש interprets מצאו עילה that they found an excuse. The ר"ח interprets it that they found a rib (of a skeleton).

THINKING IT OVER

What are the respective merits of the two interpretation of עילה מצא?

¹ ד"ה עילה.

² (ויבן את) of תרגום הבראשית ב, כב. In the text reads 'עילא מצא' with an א"ל instead of a ה"א. In other versions (תרגומים) the word עילא refers to the ribs or side of a person (or animal).

³ This is referring to the laws of שכינת קברים (in בזיר סה,ב) where one has to check that there are no other graves in the vicinity. ריש לקיש stated (there) that we can presume that this עילא or צלע is the only טומאה in this vicinity. The חכמים did not want to cause difficulties for the כהנים in א"י; so they minimized the חששות of טומאה.